

**REMARKS**

Claims 1-13 are pending in the application, of which claims 1-3, 9, 11 and 13 have been amended. Claims 14-15 have been canceled. No new claims have been added.

The Examiner has objected to claims 1-13 for various informalities and has rejected claims 2-13 under 35 USC §112, second paragraph, as indefinite.

Accordingly, claims 1-3, 9, 11 and 13 have been amended to correct the noted instances of indefiniteness, and the 35 USC §112, second paragraph, rejection should be withdrawn..

Claims 1-4 and 7 stand rejected under 35 USC §103(a) as unpatentable over JP 03-263756 to Hiroshi (hereinafter "**Hiroshi**") in view of U.S. Patent 5,336,273 to Rossoll (hereinafter "**Rossoll**").

Applicants respectfully traverse this rejection

**Hiroshi** discloses a welded terminal section of a lead-acid battery. A Pb-Sn alloy bar is used to weld the top section of electrode pole 2 and the upper section of cup section 3c. Bushing section 5b is burned into a cover 4 of the battery.

**Rossoll** has been cited for teaching laser welding of a terminal to a battery frame.

**Rossoll** is not applicable to be combined with **Hiroshi** to teach the present invention because it is not directed to a lead acid battery and is instead directed to a solid electrolyte cell and method for producing it in which the cell components are assembled within a ceramic frame which is closed on the top by a first terminal laser welded to the frame, and closed on the bottom by a second

terminal laser welded to the frame and said second terminal having the opposite polarity to that of the first terminal. **Rossoli** is concerned with sealing the battery, and not with securely connecting a lead bushing with a pole inserted through it, as recited in claims 1 and 2 of the instant application.

Neither of the cited references teaches, mentions or suggests the “tab terminal member fitly mounted on the lead bushing” being welded to the lead bushing by laser welding, as recited in claim 2 of the instant application.

Thus, the 35 USC §103(a) rejection should be withdrawn.

The Examiner has indicated that claims 5, 6 and 8-13 would be allowable if rewritten in independent form. Applicants respectfully defer this action until a FINAL Office Action, if any, is received.

U.S. Patent Application Serial No. 09/857,187  
Amendment dated February 10, 2004  
Reply to OA of November 19, 2003

In view of the aforementioned amendments and accompanying remarks, claims 1-13, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Enclosures: Substitute Abstract of the Disclosure

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